



PUEBLO OF LAGUNA
P.O. Box 194
LAGUNA, NEW MEXICO 87026



PUEBLO OF LAGUNA

Ordinance No. 100-11

Re: Adopting the Pueblo of Laguna Child Protection and Safety Act that implements the Sex Offender Registration and Notification Act ("SORNA") and amends the Pueblo of Laguna Sexual Assault laws.

At a duly called meeting of the Laguna Pueblo Council ("Council") held on the 7th day of October 2011, the following Ordinance was enacted:

WHEREAS, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian Tribe with a constitution and all the inherent governmental powers of a sovereign; and

WHEREAS, pursuant to Article IV (2)(e) of the Constitution, the Pueblo Council is authorized to exercise the inherent powers of the Pueblo, including the inherent authority to establish ordinances governing the conduct and civil relations of residents of the Pueblo and providing for the maintenance of law and order and the administration of justice within the lands of the Pueblo; and

WHEREAS, Article IV, § 2(K) of the Constitution provides that Council shall "promote and protect the public health and the welfare of the members and other residents of the Pueblo"; and

WHEREAS, the Sex Offender Registration and Notification Act (SORNA) is Title I of the Adam Walsh Child Protection and Safety Act passed by the United States Congress in 2006 that requires mandatory comprehensive minimum standards for sex offender registry and notification that governments, including the Pueblo of Laguna must implement; and

WHEREAS, the Pueblo of Laguna has worked diligently to meet the SORNA requirements which includes the passing of this Pueblo legislation to implement a sex offender registration and notification mechanism that requires all convicted sex offenders within the Pueblo to register as sex offenders and give notification to the Pueblo regarding their activity within the Pueblo; and

WHEREAS, the Pueblo of Laguna wishes to amend in its entirety, the sexual assault laws found in the Pueblo of Laguna Code ("P.O.L.C.") § 15-7 and § 15-8 to compliment the SORNA laws that the Pueblo will be implementing; and

WHEREAS the new sexual assault laws will expand the types of sexual offenses that can be charged by the Pueblo and will close gaps that exist within the current sexual assault laws and increase sentencing for such offenses that are currently limited to one year maximum incarceration.

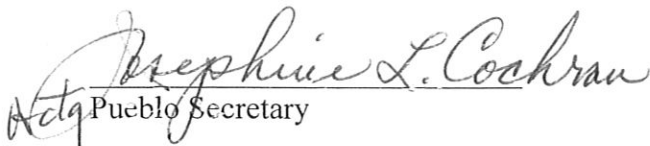
NOW THEREFORE BE IT ORDAINED that the Pueblo Council hereby enacts P.O.L.C. § 15-17 establishing the Pueblo of Laguna Sex Offender Registration and Notification requirements (see attached Sex Offender and Notification laws) as required by the SORNA and repeals P.O.L.C. § 15-3-5. *Registration of sex offenders.*

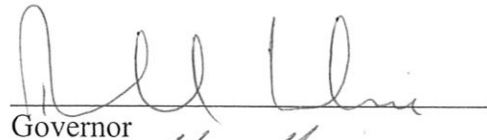
BE IT FURTHER ORDAINED that P.O.L.C. § 15-7 *Sexual Abuse.*, as presently written in Chapter 7 in the Criminal Code is repealed and replaced with the new language governing sexual assault (see attached Sexual Assault laws).

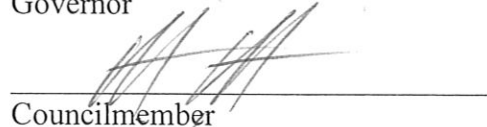
BE IT FURTHER ORDAINED that P.O.L.C. § 15-8 *Sexual Exploitation and Other Abuse of Children.*, as presently written in Chapter 8 of the Criminal Code is repealed.

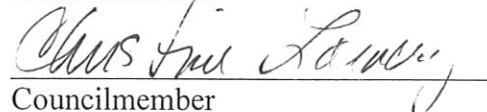
BE IT FURTHER ORDAINED that the new chapter P.O.L.C. § 15-17 and the amendment to P.O.L.C. § 15-7 and § 15-8 shall be applied to all presently pending applicable cases and those filed from this date forward.

ATTEST:


Pueblo Secretary



Governor


Councilmember

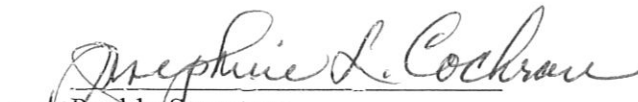

Councilmember

CERTIFICATION

The foregoing Ordinance was enacted by the Pueblo Council of the Pueblo of Laguna on the 17th day of October, 2011, by a vote of 14 in favor, 5 opposed, at a duly called meeting at which a quorum of the Pueblo Council was present.


Governor

ATTEST:


Acting Pueblo Secretary